

SOCIAL INSECURITY

Earl Wilcox

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FOR THE BLIND INC.

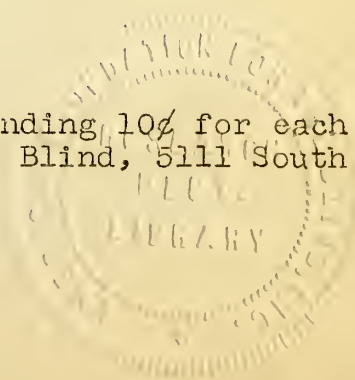
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by

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Blind

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SOCIAL INSECURITY

The Preamble of the Social Security Act passed by Congress on August 14, 1935 enumerated its high objectives in the following language: "An Act to provide for the general welfare by establishing a system of Federal old-age benefits, and by enabling the several states to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws; to establish a Social Security Board; to raise revenue; and for other purposes."

Our blind people assumed that all administrative rulings to be made in pursuance thereof by the all-powerful Bureaus and Boards in Washington would be largely controlled in spirit and in fact by the lofty purposes and objectives therein set forth.

Since the Act has been in operation for six years, it is our specific purpose to examine the manner in which Title X of the Social Security Act has been administered in order to see whether or not the 'Preamble's' lofty objectives are being in fact achieve for the blind.

In order to obtain a consensus of opinion among the well-trained blind thoroughly familiar with the present and past conditions of our people it was necessary to initiate our inquiry by first securing their candid uncolored statements. Opinions have been obtained which are not predicated on the benign or malignant requirements needed to hold a state or federal job or to retain personal benefits flowing from private concessions and state or federal remunerations. The writer and his associates have benefited greatly by these queries made directly to many individuals as well as to assembled organizations and conventions. Although the limits of this article do not permit the giving of every finite detail in the composite mural thus portrayed, we shall endeavor to sketch the major features thereof so that the reader may obtain a clear picture of the problem. At the threshold of our portrayal we must recite a few of the longstanding abuses which many of the blind thought Title X of the Social Security Act would help to erase.

In most of the states where assistance to the blind is given, it has been and still is traditionally required that an applicant take the pauper's oath. After an application had been so ingloriously initiated with blushing shame, provided all other requirements had been met, it is usually filed until such time as the local fund would permit its allowance. When funds are not available, the local administrators of blind assistance enter into 'gentlemen agreements' which arbitrarily withhold payment by the technique of filing the application for consideration later. This technique is employed even when the state laws make it mandatory upon the officials to forthwith grant blind assistance once a showing has been made by the applicant that he is entitled thereto. Thus it is that after applicants have been found to be wholly destitute and without any visible means of support, many cases, by this means, are delayed one to four years before assistance is finally granted. In this manner, the will of the people, as

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expressed through their sovereign legislatures and executives, has been constantly overridden by petty local officials. In addition, after blind assistance is finally obtained by an applicant, every cent of income or benefit received by him from whatever source derived must be strictly accounted for so that the administrators may make deductions from the blind pensioner's state or county allowance in proportion to what is deemed by them to be its monetary value. In order to carry out their objective, local officials have many petticoated investigators, who constantly shove their long, cold facial extremities into every blind person's affairs in order to see whether or not some flight benefit has not been reported. When it is realized that in most states the blind pension cannot exceed \$30.00 per month and in fact averages in the respective states between \$23.00 down to nothing, the penuriousness of these lovely ladies is at once manifest. To make their inquiries even more obnoxious, they oft-times bring pressure upon members of a blind person's family to grant free room, board or some other benefit so that they may make a good record in the reduction of their beloved budget from which blind pensions are paid. Good showings in this regard advance social workers professionally. This is done although they know full well that a promise exacted from relatives is seldom kept faithfully and at best never graciously. The intense hatred for the professional social worker has thus been deeply instilled. Their salaries, office expenses and travel allowances collected in the name of the blind are thoroughly resented. Our people have reason to feel that sighted social workers, as a class, fight for the preservation of this system because it creates many jobs which their abilities enable them to fill. The blind, therefore, have for decades fought against formidable professional opposition to have the hated pauper's oath abolished in spirit and in fact. The blind know that in most instances they have been deprived of their sight because of dangers and hazards created by other persons or society as a whole. The blind do not bemoan the fact that they are the ones upon whom blindness has been so imposed; they do not mind absorbing the major portion of the losses resulting from blindness. It is their thought however, that society should graciously absorb a small fraction of the economic loss which blindness has engendered. The public wishes to perform its duty to the blind with good grace and dignity. Professional opposition constantly thwarts that wish. For this reason, the power of the social workers to continue their violation of all psychological and sociological laws of rehabilitation, whether spiritual or economic, must be curbed. Furthermore the only kind of social worker which the blind want supported in their name is the one trained and required to place all emphasis and effort on genuine rehabilitation. The excellent legal training obtained by many of the blind should make them invaluable as executives and administrators of blind affairs both state and national. The Chief of the Rehabilitation Service causes Civil Service examinations to be drawn so as to block the employment of their talents.

Paul V. McNutt, the present Administrator of the Social Security Administration, claims credit for the present blind legislation now in effect in Indiana. When examined both in word and in deed, all the evils above recited are present therein with a vengeance. To us, his words of sympathy for the blind sound hollow. Not wishing, however,

to rest our case wholly upon the situation created in Indiana--Gayle Burlingame, Executive Director of the State Council for the Blind, State Department of Welfare, Pennsylvania and Dr. Jacobus tenBroek of the University of Chicago Law School and President of the National Federation of the Blind, with the latter's wife acting as their guide, in March of 1941, called upon Mr. McNutt. It was hoped that he might be persuaded not to induce the creation of the Indiana situation on a national scale.

This interview was open by their saying that they wished to talk about the ruling of the Social Security Board under which it had held that states, in order to secure the federal contribution to their plans for aid to the blind, must provide for a reduction in the amount of aid granted to any recipient by the amount of his earnings. They were immediately confronted by Mr. McNutt's stating that he didn't see why aid grants should not be reduced by the amount of the recipient's earnings. The drastic effects of this policy upon the outlook of the blind were then pointed out. In short, these effects were stated to be that it made economic rehabilitation impossible; that it prevents psychological readjustment and spiritual rehabilitation because it closes the doors of self-made opportunity; that it encourages indolence and idleness; that it condemns the blind as a class to a permanent future on the relief roll. Although this interview lasted forty-five minutes, Mr. McNutt was silent save for an occasional reiteration of his stand that a blind aid recipient should not be permitted to retain his earnings no matter how small those earnings were or how great the earner's need.

Our committee, after pointing out to him that this matter vitally concerned the blind of the nation and that the blind had a right to know the reasoning and bases underlying his conclusion, asked for an explanation. The query was curtly met by Mr. McNutt's declaring that it was his business as an administrator to administer the Social Security Act; it was not part of his job to explain his conduct or to disclose the reasons which led him to the conclusion he had reached.

Inasmuch as Mr. McNutt had remained seated at his desk upon our Committee's initial entrance into his office, as well as throughout the entire interview without any attempt to aid their sighted guide in maneuvering or seating our two blind representatives, his complacent coldness and slight grin left a very unfavorable impression. In order to jar Mr. McNutt out of his complacency, our representative informed him that he could unquestionably throw them out and that it should not have been difficult for him to reach his conclusion since he had apparently started with it. Mr. McNutt, of course, met this jibe by stating that it was unfair, although no effort was made by him throughout the interview to reveal the facts which he professed to know. When asked whether or not he would have any objection to the introduction of amendments to the Social Security Act into Congress, he answered that he would have no objection but that on Social Security matters the committees of Congress would call him to testify and would unquestionably follow his judgment. The Committee then argued that if he was legislator as well as administrator they certainly had a right to know the reasons underlying his policy determinations. He still declined to give them.

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When these queries bore no fruit, our Committee next raised objections to the practice of the agents of the Social Security Board by which they secretly and subversively induce changes in state legislative and administrative rulings without coming out in the open so that the blind themselves might meet their arguments. Mr. McNutt was informed that it was futile to complain about this practise to lesser officials and that they would like to have higher officials do something about it.

The only words of condolence obtained from Mr. McNutt were his blank assertion that he was not unsympathetic with the blind. To prove his point, he stated that he had given the blind of Indiana their aid law. This boast of course incriminates him in the eyes of the blind as nothing else could.

Color was given to the entire interview when one of the boys noted the number of doors through which they passed before reaching Mr. McNutt's office. Mr. McNutt agreed they were numerous but averred that there weren't enough of them. Dr. tenBroek parried McNutt's rejoinder by asking him if he meant there weren't enough to keep the people out. Mr. McNutt curtly replied, "That's exactly what I mean." Our Committee reports that throughout the interview McNutt's manner was haughty, arrogant and studiously uncivil. They state he laid emphasis to this impression by failing to grasp their outstretched hand when they offered it in friendship. So we have a picture of a man who in public professes to fight for the rights of the blind, yet in private where there are none to cheer or votes to get, we see him as he is.

When Mr. McNutt voices his sentiments from the platform or over the radio they are resented. We feel that he has been dealing from the bottom of the deck. Since his appointment by President Roosevelt as Administrator of the Social Security Administration, he has been in complete sympathy with the Social Security Board which emulates the vicious practices so ably initiated by him in Indiana. The rulings of the Social Security Board in pursuance of this spirit have converted Title X into a national tyranny superimposed upon and fostering ancient local abuses. The struggle of the blind for justice has thereby been made infinitely more difficult than before the enactment of Title X.

The word 'need' as it initially appeared in Title X as well as in the amendments sponsored by Mr. McNutt or his underlings has been interpreted so as to encompass all the professional social workers' hide-bound concepts breathed into the word by professional moralists over the centuries. The presence of the word 'need' in the Act enables the Social Security Board to refuse to approve state plans which violate its hide-bound ideas. In other instances, its emissaries, dutifully following Mr. McNutt's position, threaten the withdrawal of federal aid from existing state plans unless they are modified in strict accordance with the Social Security Board's dictates. Furthermore, the efforts of the blind to ameliorate harsh terms existing in state legislation or to legislatively inaugurate new socially sound state plans oftentimes are sabotaged by a "Social Security Board" emi-

ssary with a whisper that federal approval will not be forthcoming when passed. So we have a spectacle of democracy in action as envisaged by those interested in the political, economic and social power of their Bureaus, Departments and Divisions. The Social Security Board is now building up in the name of the blind a vast army of state and federal officials, the chief function of which seems to be to see to it that the blind in no instance receive one penny more than is necessary to keep body and soul together. This is subsistence in its lowest terms. Freedom from fear is meant for others. How can anyone but a bigot pursue such a policy and at the same time in eloquent language profess an endeavor to rehabilitate and lift our people to independence and self-respect.

Every American citizen must be warned about the fate in store for him if, while engaged in the creation of the nation's welath, he is suddenly blinded. His family and children will drink deep from his bitter cup. His depreciated earning power will not be supplemented by a partial socialization of its shrinkage. Only by the living of an idle, indolent, discourage existence is a blind man rewarded with a pension. If his wife works, her noble effort will be rewarded by a curt refusal to grant her blinded husband a pension.

The above thorough emasculation of Title X of the Social Security Act does not seem to have satisfied the respective Powers That Be. In 1938 an organization was incorporated in Washington, D. C., entitled THE NATIONAL SOCIETY FOR THE BLIND, INCORPORATED. By devious contracts and sundry arrangements this corporation is bringing about the installation of vending machines in Government buildings throughout the country. Although itself ostensible philanthropic, it enters into contracts with a certain Chicago Vending Machine Company which requires the latter to pay the former a given percentage of gross receipts. The National Society for the Blind shares its cut with various state agencies which it alone approves. Inasmuch as the National Society for the Blind, Inc., avows an intention not to approve any state agency upon which the Powers That Be in Washington manifest a dislike, the close correlation between the federal authorities and the Society is clear. Added significance must be given to the fact that a federal employee in the Department of Rehabilitation was one of the original organizers of the Society as shown by its charter fully set forth below. Undoubtedly, John Kratz, Chief, Rehabilitation Division, could shed considerable light upon the parentage of this malformed brain child as well as the identity of the persons who control the Society from behind the scene. We all suspect that an examination of the noble Kratz' cerebrum by a skillful brain surgeon would disclose its embryonic next of kin therein reposing. All facetiousness aside, the blind know full well that no state agency opposing the policies of the Social Security Board will receive any portion of the Society's cut. The political potentialities of this arrangement are tremendous. It is not enough to publicly disgrace the blind by hanging appropriate signs on these robot panhandlers. Their rapid growth in number will ultimately finance a vast subserviant political combination between the Society, the approved State Agencies, the Social Security Board, and the Federal Department of Rehabilitation.

When the Social Security Act is read in its entirety, the criminal provision contained therein becomes most interesting when superimposed upon an analysis of the foregoing. Could it be that its broad terms as set forth below were designed to frighten those who might prod too deeply? Any individual or small organization of the blind seeking detailed information to supplement that which is well known among us will be met with scant courtesy, innumerable dodges and considerable procrastination. We, the independent blind, therefore, are seeking a Congressional investigation into this entire matter in order to forestall the strangling effect of ever-lengthening pseudo-political combines. In addition, Title X of the Social Security Act must either be completely rewritten or thoroughly amended so that the power of the Social Security Board to hamstring state legislatures and existing state agencies will be once and for all eliminated. All we ask is that the blind be given justice as understood by the average American citizen. All they ask is a partial compensation for the heavy burden placed upon them. This must be a matter of right and not one of grace. If this is achieved, the tyranny of the petty bureaucrat will be broken. The blind will have a small income which they may supplement without interference in the giving of a genuine service to society, and as a consequence, they will walk with dignity with the feeling that they are members of the human family rather than an unwelcome adjunct. Only the blind can lead the blind.

It is discouraging to observe how far a flag-waving fence rider can travel and prosper by adroitly donning a cloak of virtue and sympathy at every public occasion. We view it as an enemy within our midst. True patriotism is made of sterner stuff.

Earl Wilcox
Attorney-at-law
Member, Legal Committee of the
National Federation of the Blind

CERTIFICATE OF INCORPORATION

No. 25282

We, the undersigned, all citizens of the United States, and a majority citizens and residents of the District of Columbia, desiring to associate ourselves as a corporation pursuant to the provisions of Title 5 of Chapter 5 of the Code of Law for the District of Columbia, do hereby certify as follows:

First: The name or title by which this corporation shall be known in law shall be "NATIONAL SOCIETY FOR THE BLIND, INCORPORATED."

Second: The term for which it is organized shall be perpetual.

Third: The particular business and objects of said corporation shall be:

A. To cooperate with existing agencies or such agencies as may

hereafter be established in promoting all and every interest of the blind and the partially blind in the United States and to initiate movements for such purpose.

B. To endeavor to secure local, state, and Federal legislation for the welfare of the blind and the partially blind.

C. To establish and maintain, with the necessary personnel and equipment, such bureaus and departments as may be required for its work.

D. To receive and to administer moneys from all sources, whether gifts, commissions, or other income, for the benefit of the blind and the partially blind, for business, for recreational, and for other purposes.

E. The Board of Directors, or its authorized officer, may enter into agreements with individuals, public and private agencies, wherever located, for the purpose of developing and aiding rehabilitation work and services for the blind and the partially blind.

F. To buy, sell, construct, reconstruct, lease, remodel and improve any buildings and other properties for the purpose of carrying out or promoting any of the objects of the corporation.

Fourth: The number of its trustees, directors, or managers for the first year of its existence shall be not less than three (3).

In testimony whereof, we have this 20th day of December, 1938, hercunto set our hands and seals.

Address:	J. F. Clunk (Seal)
622 Nicholson St., N.W.,	John Mitchell (Seal)
Washington, D. C.	L. A. Robinson (Seal)

TITLE X of the SOCIAL SECURITY ACT: GRANTS TO STATES FOR AID TO THE BLIND

Section 1001. Appropriation: For the purpose of enabling each State to furnish financial assistance, as far as practicable under the conditions in such State, to needy individuals who are blind, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of \$3,000,000, and there is hereby authorized to be appropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Social Security Board, State plans for aid to the blind.

Section 1002. State Plans for Aid to the Blind: (a) A State plan for aid to the blind must (1) provide that it shall be in effect in all political subdivisions of the State, and if administered by them be mandatory upon them; (2) provide for financial participation by the State; (3) either provide for the establishment of designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (4) provide for granting to any individual

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whose claim for aid is denied, an opportunity for a fair hearing before such State agency; (5) provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be necessary for the efficient operation of the plan; (6) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; and (7) provide that no aid will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance under the State plan approved under section 2 of this Act.

(b) The Board shall approve any plan which fulfills the conditions specified in subsection (a), except that it shall not approve any plan which imposes, as a condition of eligibility for aid to the blind under the plan--

(1) Any residence requirement which excludes any resident of the State who has resided therein five years during the nine years immediately preceding the application for aid and has resided therein continuously for one year immediately preceding the application; or

(2) Any citizenship requirement which excludes any citizen of the United States

Section 1004. Operation of State Plans. In the case of any State plan for aid to the blind which has been approved by the Board, if the Board, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds--

(1) That the plan has been so changed as to impose any residence or citizenship requirement prohibited by section 1002(b), or that in the administration of the plan any such prohibited requirement is imposed, with the knowledge of such State agency, in a substantial number of cases; or

(2) That in the administration of the plan there is a failure to comply substantially with any provision required by section 1002(a) to be included in the plan; the Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such prohibited requirement is no longer so imposed, and that there is no longer any such failure to comply. Until it is so satisfied it shall make no further certification to the Secretary of the Treasury with respect to such State.

Section 1006. Definition. When used in this title the term "aid to the blind" means money payments to blind individuals.

TITLE VII---AMENDMENTS TO TITLE X OF THE SOCIAL SECURITY ACT

Section 702 (b). Effective July 1, 1941, section 1002(a) of such Act is further amended by inserting before the period at the end thereof a semicolon and the following new clauses; "(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to the blind; and (9) provide safeguards which restrict the use or disclosure of infor-

mation concerning applicants and recipients to purposes directly connected with the administration of aid to the blind."

Section 703. Section 1006 of such Act is amended to read as follows:
"Sec. 1006. When used in this title the term 'aid to the blind' means money payments to blind individuals who are needy."

TITLE VIII---AMENDMENTS TO TITLE XI OF THE SOCIAL SECURITY ACT

Section 1107. Penalty for Fraud. (a) Whoever, with the intent to defraud any person, shall make or cause to be made any false representation concerning the requirements of this Act, the Federal Insurance Contributions Act, or the Federal Unemployment Tax Act, or any rules or regulations issued thereunder, knowing such representations to be false, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$1,000, or by imprisonment not exceeding one year, or both."

Members should obtain the full text of the Social Security Act and the 1939 Amendments from the Document Room of the House of Representatives, Washington, D. C.

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